Home **(1937) Department**

M SERIES

G.O. No.	913
DATED	3/3/37

[Despatch Abstract.]

Magistrates - Bench Court, Mangalore - Appointment of an attender Sanction - Refused.

C.F. 30—10,000—7-8-26.

DEPARTMENT.

Received 16 JAN 1937 192 . *Registered* Home 1927 16.1.37 192

Subject

ENCLOSURES.
No. .....
.....
Spare copies .....

R.O.C. No. 4752/36 D-3.

Station Madras, *Dated the* 15th January 1937 ~~192~~.

From (Name) G.S. White Esquire, (Solicitor),
(Designation) Registrar, High Court of Judicature,
Madras.

To The Secretary to the Government of Madras,
(HOME) Department.
(with enclosure).

Sir,

Establishment - Bench Court, Mangalore - entertainment of an attender.

In forwarding herewith the letter R.O.C.No.2881/M/36 dated 9-12-1936 from the District Magistrate of South Kanara, I am to state that in the circumstances stated therein the Hon'ble the Judges recommend his request for the appointment of an attender on Rs.19-2/2-25-1/2-30 in the Bench Court at Mangalore. pp 3-4 infra

The extra cost involved in the proposal during the current year will have to be met from the existing budget grants for the year under "24 g - Criminal Courts - Pay of Establishments - As regards the cost involved in the next year

x Pay of clerks in the same Vide p 61 of Go 311 Public Sev 13-4-33 (K)

year I am to request that Government may be pleased to make the necessary provision in the next year's budget.

I have the honour to be,

Sir,

Your most obedient servant,

REGISTRAR.

BCR.

C.F. 30.

HOME DEPARTMENT.

Received ..... 19 . *Registered* 19

Subject.

Courts - First Class Bench of Magistrates, Mangalore - Appointment of an attender - Recommended.

Enclosures.
No. ...
...
Spare copies ...

R.O.C. No. 2881/M/36.

Station Camp Karkal ..., *Dated the* 9th December 1936.

From (Name) A. D. Crombie, Esq., C.I.E., I.C.S.,
(Designation) Collector & Dt. Magistrate,
South Kanara.

To The Secretary to the Government of Madras,
Home Department,
Through the High Court of Judicature,
Madras.

Sir,

(I)

The Government in their G.O.809, dated 5.4.1918 were pleased to sanction two clerks and a peon for the Bench of I Class Magistrates, Mangalore. The jurisdiction of the Bench was then confined to the Mangalore town. In July 1931 it was extended to the whole of the taluk in order to give relief to the Stationary Sub Magistrate, Mangalore. Since then the work in the Bench Court has been growing every year and the President has now reported to me that the existing staff, consisting of only two clerks, is not able to cope with the work although it has been working beyond office-hours and on holidays also. The work of indexing records is

now in arrears. The number of cases filed and the fines imposed since 1931 is noted in the margin.

Year.	No.of cases filed.	Amount of fines imposed. Rs.as.ps.
1931	1361	3142.12. 0
1932	1548	9911. 8. 0
1933	1260	5004. 6. 0
1934	1663	4124.12. 0
1935	1642	4487.13. 0
1936 end of November.	2421	4892. 7. 0

2. The President reports that both the clerks are overburdened with work; and in view of the figures above I agree with him. The Head clerk is engaged the whole day on bench work on Court days while the second clerk is taking bonds under section 86 & 388 C.P.C. from parties. The staff has therefore to stay in office beyond office hours to attend to fair copying of ----- judgments, writing up of several registers and fine receipts, despatch monthly returns and the writing up of warrants, ---- distress warrants and processes.

3. Recently in G.O.Ms.1768 Home, dated 12.8.1936 the President has been appointed as a special I Class Magistrate to sit independently. Consequently all the Criminal registers have to be maintained separately. The President requests that, if not a clerk, at least the appointment of an attender may be sanctioned in view of the increased work of the Bench.

4. The Bench sits 5 days in a week regularly and disposes of a large number of petty cases. I am satisfied that there is considerable increase in the scriptory work in the Court necessitating the employment of an additional hand. I therefore strongly recommend that the appointment of an attender on a scale of Rs.19-2/2-25-1/2-30 may be sanctioned to the Bench Court.

A proposition statement is enclosed.

For Collector & Dt.Magistrate.

10-12-36

Try. XXXIII-10.

Statement of Propositio

Code [illegible]m 5.

(*See* Chapter 5, A

		Nature of Charge.											
		Present scale.								Pr			
			Pay.					Average cost.					
	Number.	Designation.	Minimum.		Increment.		Maximum.			Number.		Designation.	
	(1)	(2)	(3)		(4)		(5)		(6)	(7)		(8)	
			Rs.	A.	Rs.	A.	Rs.	A.	Rs. A.				
1.		Head clerk.	35	-	1½ to 50 1 to 60	-	60	-	47 1/12			Head clerk	
2		Second clerk.	35	-	1½ to 50 1 to 60	-	60	-	47 1/12			Second clerk	
3.		Attender.			——		Nil		——			Attender	
4.		Peon.	12	-	1	-	18	-	15-4			Peon.	

South Kanara Collector's & District Magistrate's Office,

Camp: Karkal, 9th December 1936 ——

NR/10/12/36.

Note.—If the proposal is a reorganization or establishment, the head of the Department should certify that to the provisions of Art. 423, C.S.R., and should specify any case in which the maximum pension o

Dated 193

To

The Secretary to Government,

thro' the Acc

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Revision of Establishment.

T. & A. 10—2,415—16-10-35. (5)

(Form 57, Vol. I, C.A.C.)

Revised scale. Pay. Minimum. (9)	Increment. (10)	Maximum. (11)	Average cost. (12)	Proposition. Permanent. Increase per month. Amount. (13)	Decrease per month. Amount. (14)	Temporary. Increase per month. Period. (15)	Amount. (16)	Decrease per month. Period. (17)	Amount. (18)	Orders of the sanctioning authority. (19)
Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.		Rs. A.		Rs. A.	
5 -	1½ to 50 1 to 60	60 -	47 1/12							
5 -	1½ to 50 1 to 60	60 -	47 1/12							
19 -	2/2 to 25 1/2 to 30	30 -	25 -	25 -						
12 -	1 -	18 -	15-4							

For Collector and District Magistrate.

10-12-36

Claims to pension that may arise in consequence have been considered with reference to articles which, if necessarily admissible will be subject to reduction under that article, M.T.M., para. 67.

If Local Government is competent to sanction, its order will be written across this column.

Department,

Signature _____

Accountant-General.

Officer's Designation _____

Home (F) Department.

MAGISTRATES - Bench Court, Mangalore - Entertainment of an attender.

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C.No.192 F. From the Registrar, High Court, Madras, R.O.C.No. 4752/36 D-3, dated 15.1.1937.

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A.S.

The D.M. South Kanara requests sanction for the entertainment of an attender on Rs.19-2/2-25-1/2-30 per mensem for attending to the work of the Bench at Mangalore. The present establishment of the Bench consists of two clerks on Rs.35-60 and one peon on Rs.12-18 per mensem. The D.M. supports his request on the following grounds:-

(1) that the jurisdiction of the Bench has been extended to the whole taluk;

(2) that the work of indexing records is in arrears:

(3) that the staff has been working beyond office hours and on holidays also.

(4) as the President has been appointed as a Special I Class Magistrate to sit independently, all the criminal registers have to be maintained separately; and

(5) that there is considerable increase in the scriptory work in the Court.

2. The Hon'ble the Judges of the High Court support the proposal. It is stated that the Bench sits for 5 days in a week, regularly.

3. The following statement compares the institutions and establishment sanctioned for the Mangalore Bench Court with those of certain other courts:

Name of Court.	1932	1933	1934	1935	1936	Strength of Estbnt.
Cocanada	3367	2916	3929	3925	3124 upto end of Aug.36	1 clerk on 35-60 1 clerk on 19-30 1 peon on 12-18
Srirangam	1791	1625	2053	2903	1720 upto 15.7.36	1 clerk on 40-1-35 1 clerk on 19-30 1 peon on 12-18
Tellicherry	Not available		2448	3636	2271 upto 15.10.36	1 clerk on 30-55 1 part time clerk on Rs.12/- p.m.
Vizagapatam	3564	2187	2641	2906	2816 upto August 1936	2 clerks and 1 peon.
Mangalore *	1548	1260	1663	1642	2421 upto end of Nov.	2 clerks on Rs.35-60 1 peon on Rs.12-18

From the statement furnished above it does not appear that there is sufficient case for giving an additional clerk (3rd clerk) or an attender to the Bench Court at Mangalore.

For orders whether in the circumstances stated above, the proposal may be negatived.

* except at Mangalore no Hony Magte sits independently

Maybe negatived

A draft order is submitted.

Are the benches referred to in the above note 1st class Benches?

Is there also a 2nd or 3rd class bench in Mangalore? What other sittings are there?

~~3~~ 9

With reference to Secretary's Query at p.2 ante it is Submitted that all the Bench Courts referred to in the note at p.2 ante, except the one at Srirangam, are first class Benches. The Bench Court at Srirangam is only a third Class one. There is no Second or Third Class Bench at Mangalore. There are a Sub Divisional Magistrate, a Stationary Sub Magistrate And a Special Magistrate sitting singly, who is also the President of the Bench at Mangalore.

24/2

25.2.37

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33 / 3/3
Date.

DRAFT FOR APPROVAL.

C.F. 16.

Initials.

Home (F) Dept

SUBJECT :—

When received for fair copying ..		
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When examined ..		
When signed ..		
When despatched.		

Magistrates - Bench Court, Mangalore - Appointment of an attender - Sanction - Refused

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO* :—

No. _____ From the D.M South Kanara R.o.c. No. 2881/M/36 dated 9.12.1936. pp 3-6 cf

C. " 192 F. " Registrar, High Court, Mcms R.o.c. 4752/36 D-3 " 15.1.1937. pp 1-2 cf

" _____ " _____ " _____ " _____ 19____.

~~Order~~ ~~Resolution~~ Ms. ~~Rout.~~ No. 913, dated 3.3.1937.

The Govt Consider that the number of Cases filed in the Bench Court at Mangalore does not justify the employment of an attender as proposed by the D.M. They are therefore unable to Sanction the proposal.

8/2

9.2.37

10/2

To The D.M. South Kanara.

" Hon'ble the C.J (with C.l)